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NOTES OF CASES.

Appeals—Dismissal—Payment of Fees—Va. Code 1904, Appendix 14.—The dismissal of an appeal for failure to comply with a mandatory statute as payment of the register's fee for his return is held, in *Lohrstorfer v. Lohrstorfer* (Mich.), 70 L. R. A. 621, to confer a vested right which can not be impaired by a subsequent statute permitting the reinstatement of appeals within a specified time upon proof that the fee has been paid in the interim.

Banks and Banking—Lien.—A bank sends to another bank, which is its regular correspondent, for collection, a draft indorsed for collection and credit is held, in *Garrison v. Union Trust Co.* (Mich.), 70 L. R. A. 615, to have no right to assert its title against the lien upon the proceeds to which a third bank, to which the draft is forwarded for collection, is entitled in the ordinary course of business to balance its account against the intermediate bank.

Carriers of Passengers—Ejection—Tickets and Fares.—The refusal of the agent at the intermediate terminal to indorse a return-trip ticket, which indorsement, according to the terms of the ticket, is necessary to validate it, is held, in *Texas & P. R. Co. v. Payne* (Tex.), 70 L. R. A. 946, not to be a final breach of its contract, by the carrier, so as to preclude recovery by the passenger of any damages that may subsequently accrue; and, where the passenger is ejected from the train when attempting to use the ticket, under circumstances of humiliation, it is held that he may recover damages therefor.

Carriers of Passengers—Negligence—Riding on Platform.—That it is not negligence, as matter of law, for a passenger who is upon a train so crowded that he can not find a seat, and becomes sick because of lack of proper ventilation, and tobacco smoke, to seek relief upon a platform when unable to reach a window, is declared in *Morgan v. Lake Shore & M. S. R. Co.* (Mich.), 70 L. R. A. 609.

Constitutional Law—Plumbers—Va. Code 1904, § 1743d.—A statute requiring every member of a firm engaged in the plumbing business to be a registered plumber, whether his duties require him to have a knowledge of that trade or not, is held, in *Schnaier v. Navarre Hotel & I. Co.* (N. Y.), 70 L. R. A. 722, to be an unconstitutional interference with liberty and property.

Constitutional Law—Compulsory Vaccination—Va. Code 1904, § 1733.—A statute requiring vaccination as a prerequisite to attendance at public schools is held, in *Viemeister v. White* (N. Y.), 70 L. R. A. 796, to be a reasonable and proper exercise of the police power.